

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

AUG 05 2008

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

BERNARD ALBERT STEPPE,

Petitioner - Appellant,

v.

SHERIFF SAN BERNARDINO  
COUNTY,

Respondent - Appellee.

No. 08-55424

D.C. No. 5:07-cv-01654-RSWL

MEMORANDUM \*

Appeal from the United States District Court  
for the Central District of California  
Ronald S.W. Lew, District Judge, Presiding

Submitted July 14, 2008 \*\*

Before: SCHROEDER, LEAVY and IKUTA, Circuit Judges.

Appellant's motion to proceed in forma pauperis is granted. The Clerk shall amend the docket to reflect that appellant is proceeding in forma pauperis.

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\* This disposition is not appropriate for publication and is not precedent except as provided by 9<sup>th</sup> Cir. R. 36-3.

\*\* The panel unanimously finds this case suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

A review of the record and appellant's response to the order to show cause indicates that the questions raised in this appeal are so insubstantial as not to require further argument. *See United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (per curiam) (stating standard). Accordingly, we summarily affirm the district court's judgment summarily dismissing appellant's habeas corpus petition.

All other pending motions are denied as moot.

**AFFIRMED.**